

4

Export Certification
Manual

Steps to Certify

Determine Eligibility for Certification

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Introduction

This section of the Steps to Certify chapter covers determining eligibility for certification. Authorized Certification Officials (ACOs) need to assess if they can certify the commodity products based on what the product is, the product's origin and its destination. ACOs **must** also determine their authority to certify protected plants or plant products for export.

The eligibility of a commodity for certification depends on the following:

- ◆ The degree to which a commodity has been processed
- ◆ Whether the commodity can be inspected
- ◆ The origin of the commodity
- ◆ The country to which the commodity is being exported
- ◆ Whether the commodity is covered by the Endangered Species Act (ESA) and/or the Convention on International Trade in Endangered Species of Wild Flora and Fauna (CITES), and the authority of the ACO to certify protected plants and plant products

Eligibility Based on What the Product Is

The Degree to Which a Commodity Has Been Processed

The degree to which a commodity has been processed is the first factor that determines if a commodity is eligible for a certificate.

APHIS, PPQ's current policy on which commodities are eligible for certification is based on the degree of processing that a commodity has been subjected to. APHIS, PPQ's policy is that the phytosanitary certificates (PCs), PPQ 577 and PPQ 579, cannot be issued for processed products.

Processed products include any commodity that has been processed beyond air drying, except for wood. Wood products that have been kiln-dried or heat treated are considered unprocessed for the purposes of providing a phytosanitary certificate. Air drying refers to "ambient" air; no chilled, forced or heated air can be applied. This broad policy is based on the fact that commodities that have been processed to some degree are not considered to present a pest risk and, therefore, are not eligible for a PC.

There are, however, some exceptions. There are specific processed commodities which Export Services has identified as eligible for a certificate. These exceptions are noted in EXCERPT in the Processed Products section and this section of the manual. Guidance for determining whether a commodity is eligible for any type of certificate, based on the commodity's degree of processing, is provided below.

Eligibility of Grain and Grain Products

With respect to the policy on processed products there is a separate policy for grain and grain products. The removal of the seed coat, drying to remove moisture (even if heat is added), and polishing of the grain is not considered "processing" for the purposes of determining phytosanitary certification.

- 1.** For the purposes of phytosanitary certification, **grain which has been dried, had the seed coat removed and been polished** is not considered to be processed to the point that pest risk has been mitigated and, therefore, is eligible for the phytosanitary certificates PPQ 577 and PPQ 579. For example:
 - A.** Polished rice grain is eligible for a PPQ 577 or PPQ 579
 - B.** Malted barley, which is barley grain that has been germinated and then dried by adding heat, is not eligible for a PPQ 577 or PPQ 579

- 2.** If grain has been processed beyond drying, removal of the seed coat, and polishing it may or may not be eligible for a PPQ 577, PPQ 578 or a PPQ 579. If the specific commodity is eligible for a certificate the eligibility will be stated in EXCERPT in one of the following:
 - A.** Processed Products menu:
 - i.** Example: “Solvent extracted soybean meal” and “flour made from cereal grain” are both listed as eligible for PPQ 577 or PPQ 578. Please note that while these commodities are considered “processed” under APHIS policy they have been given an exception.
 - ii.** Example: “Distillers dried grain solubles” is not listed as eligible for any type of certificate.
 - B.** Within an export summary
 - C.** Communication from Export Services
- 3.** If the commodity does not fall under points 1 and 2 it is not eligible for any type of certification provided by PPQ

Eligibility of Wood Products

- 1.** If a wood product has not been processed beyond removal of bark, rounding of edges, sawn into lumber and/or kiln drying or heat treatment it is eligible for a PPQ 577 or PPQ 579. For example:
 - A.** Lumber which has been heat treated is eligible for a PPQ 577 or a PPQ 579
 - B.** Lumber which has been treated with creosote is ineligible for a PPQ 577 or a PPQ 579
- 2.** If a wood product has been processed beyond removal of bark, rounding of edges, sawn into lumber and/or kiln drying or heat treatment it may or may not be eligible for a PPQ 577, PPQ 578 or a PPQ 579. If the specific commodity is eligible for a certificate the eligibility will be stated in EXCERPT in one of the following:
 - A.** Processed Products menu:
 - i.** Example: “Molding of wood” is listed as eligible for a PPQ 578
 - ii.** Example: “Windows made from wood” is not listed as eligible for any type of certificate.
 - B.** Within an export summary
 - C.** Communication from Export Services

3. If the commodity does not fall under points 1 or 2 it is not eligible for any type of certification provided by PPQ

Eligibility of Commodities Other Than Grain

1. If a commodity has not been processed beyond ambient air drying it is eligible for a PPQ 577 or PPQ 579. For example:
 - A. Grapes which have been dried by ambient air temperature are eligible for a PPQ 577 or a PPQ 579
 - B. Grapes which have been frozen are ineligible for any Federal export certificate
2. If a commodity has been processed beyond ambient air drying it may or may not be eligible for a PPQ 577, PPQ 578 or a PPQ 579. If the specific commodity is eligible for a certificate the eligibility will be stated in EXCERPT in one of the following:
 - A. Processed Products menu:
 - i. Example: “New jute bags” are listed as eligible for a PPQ 578.
 - ii. Example: “Peanut butter” is not listed as eligible for any type of certificate
 - B. Within an export summary
 - C. Communication from Export Services
3. If the commodity does not fall under points 1 and 2 it is not eligible for any type of certification provided by PPQ

Use [Table 4-2-1 on page-4-2-5](#) to decide if you can certify the plants or plant products based on what they are.








Eligibility of Non-Plant Products

Non-plant products are ineligible for any type of certificate.



Another factor to consider when determining if a commodity is eligible for a certificate is whether or not the commodity can be inspected. Even if a commodity is eligible for a certificate if it is in such a state that it cannot be inspected, then, the commodity is not eligible for a certificate.

TABLE 4-2-1: Determine Eligibility for Certification Based on What the Product Is

If the articles are:	And they are:	And they are:	Then based on what the articles are:
Plants, parts of plants, or something derived from plants (including edible mushrooms as vegetables)	Processed products such as: ◆ Frozen fruits or vegetables ◆ Pelletized plant material ◆ Plywood	Listed in EXCERPT under <i>Processed Products Menu</i> as eligible for PPQ Form 577 or PPQ Form 578	1. CONSIDER eligible for the certificate specified in EXCERPT 2. GO to Eligibility Based on Origin and Destination on page 4-2-6
		Listed in EXCERPT under <i>Ineligible Commodities</i> ¹	1. CONSIDER not eligible for any certificate 2. EXIT this manual
		Not on the <i>Processed Products Menu</i> list in EXCERPT	
	Unprocessed products		1. CONSIDER eligible for PPQ Forms 577 or 579 2. GO to Eligibility Based on Origin and Destination on page 4-2-6
Mushroom spawn			1. CONSIDER eligible for PPQ Form 577 (not 578 or 579) 2. GO to Table 4-2-2 on page 4-2-6
Neither plants nor anything derived from plants			1. CONSIDER ineligible for a certificate 2. EXIT this manual
Mixture or combination of plant and non-plant materials			Call Export Services

1 The Ineligible Commodities Menu is not all inclusive. Do not use this list to determine if a commodity is **ELIGIBLE** for certification – only that a commodity is **INELIGIBLE**.

TABLE 4-2-2: Determine Action to Take on Mushroom Spawn

If:	Then:
The consignment meets the following conditions: <ul style="list-style-type: none">◆ Export Services has received official communication from the importing country that a PC is required and EXCERPT reflects that information¹◆ The intended use of the mushroom spawn is for propagation◆ The mushroom spawn manufacturing facility is participating in the pilot Mushroom Spawn Facility Accreditation Program²	<ol style="list-style-type: none">1. INSPECT the consignment, looking for insects2. COMPLETE a PC In Block 9, Name of Produce, enter "Mushroom spawn" In Block 10, Scientific Name, enter Do not enter an additional declaration (AD) concerning the phytosanitary condition of the consignment³
The consignment does not meet the above conditions	<ol style="list-style-type: none">1. CONSIDER ineligible for a PC2. EXIT this manual

- 1 If an exporter presents an IP from a country that is not listed in EXCERPT as requiring a PC, contact Export Services before providing any certification services.
- 2 ACOs must contact their Export Certification Specialist (ECS) or Regional Program Manager (RPM), through the chain of communication, **prior** to certification to determine which mushroom spawn manufacturing facilities are participating in the pilot program.
- 3 The only ADs allowed are for referencing IPs or for replacing, reissuing, or superseding a PC.

Eligibility Based on Origin and Destination

The origin and destination of the commodity is another factor which determines if the commodity is eligible for an export certificate.

Use [Table 4-2-3](#) to decide if you can certify the plants or plant products based on their origin and destination.

TABLE 4-2-3: Determine Eligibility for Certification Based on Origin and Destination

If the articles originated in:	And the articles are being exported:	Then:
United States, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, or the U.S. Virgin Islands, (St. Thomas, St. Croix, St. John)	To a foreign country	1. CONSIDER eligible for PPQ Form 577 or PPQ Form 578. A State phytosanitary certificate may be used only if accepted by the U.S. affiliated island 2. SEE ALSO Processing Protected Plants on page 6-10-1
	Interstate via Canada	
	To the Marshall Islands	1. CONSIDER ineligible for a certificate 2. REFER exporter to the State, country, or Affiliated Island's plant regulatory agency for certification using a State phytosanitary certificate 3. EXIT this manual
	To United States, American Samoa, Guam, Northern Mariana Islands, Puerto Rico, or the U.S. Virgin Islands (St. Thomas, St. Croix, St. John)	
A foreign country or the Marshall Islands (islands affiliated with the United States)	To a foreign country	1. CONSIDER eligible for PPQ Form 578 or PPQ Form 579 2. HANDLE the shipment as a foreign-origin shipment for re-export 3. SEE ALSO Processing Protected Plants on page 6-10-1
	Interstate via Canada	
	To the Marshall Islands	
	To American Samoa, Guam, Northern Mariana Islands, Puerto Rico, or the U.S. Virgin Islands (St. Thomas, St. Croix, St. John)	

Eligibility Based on Protected Status

PPQ is responsible for enforcing The Convention on International Trade in Endangered Species of Wild Fauna and Flora (CITES) and The Endangered Species Act (ESA) for exporting and re-exporting listed plants. Therefore, ACOs **must** identify whether the plant or plant product is protected by CITES or ESA before confirming that they can meet the import requirements of the foreign country. After identifying the article as protected, use **Table 4-2-4 on page-4-2-8** to determine if it can be certified based on its CITES or ESA status.

ACOs can use EXCERPT to look up if the plant name is a protected plant or plant part. The same listings can also be found at:

- ◆ CITES web site address: <<http://www.CITES.org/>>
- ◆ ESA web site address: <<http://www.fws.gov/endangered/wildlife.html>> (then click on the link for "Federal list of endangered and threatened wildlife and plants")

All protected plants are listed in EXCERPT, including genera in the families Cactaceae and Orchidaceae. The **Characteristics of Cactaceae** and the **Characteristics of Orchidaceae** are listed below to help visually identify plants or plant products that may be regulated by CITES or ESA.

Characteristics of Cactaceae

Characteristics of Cactaceae are as follows:

- ◆ Stems are succulent with small, woolly or felt area often bearing clusters of spines or bristles
- ◆ If stems are **not** succulent, then look for stems with tufts of fuzz and spines arising from the fuzz


Characteristics of Orchidaceae

Characteristics of Orchidaceae are as follows:

- ◆ Flowers are orchid-like
- ◆ Leaf venation is parallel
- ◆ Roots are fibrous or cord-like-to-tuberous
- ◆ Stems often are more or less swollen or thickened and form a pseudo bulb

If you **cannot** find the plant name and/or you doubt its accuracy, do not proceed until the plants are correctly identified. If local expertise is unavailable, then consult with the nearest PPQ botanist.

TABLE 4-2-4: Determine Eligibility for Certification Based on CITES and ESA Status

If the articles being exported are:	And they are:	Then:
Neither protected by CITES nor ESA	Domestic plants or unprocessed plant products	CONSIDER eligible for PPQ Form 577 REFER to Determine Import Requirements on page 4-3-1
	Foreign-origin plants or unprocessed plant products	CONSIDER eligible for PPQ Form 579 REFER to Determine Import Requirements on page 4-3-1
	Eligible processed products listed in EXCERPT	CONSIDER eligible for PPQ 578 REFER to Determine Import Requirements on page 4-3-1
Protected by CITES or ESA		GO to Determine Your Authority to Certify Protected Plants or Plant Products for Export on page 4-2-9 to determine your authority and action to take for certifying protected plants

Determine Your Authority to Certify Protected Plants or Plant Products for Export

Only ACOs located at designated CITES ports are authorized to certify protected plants or plant products. Therefore, you **must** determine whether you are located at a designated CITES port.

ACOs can use EXCERPT to look up the designated CITES ports for plants (by State), or use the following web address for the same listing:

- ◆ USDA-APHIS-PPQ web site address below:

<http://www.aphis.usda.gov/ppq/permits/plantproducts/cites-esa.html>

After identifying the designated CITES ports, use **Table 4-2-5** to determine your authority to certify protected plants or plant products for export.

TABLE 4-2-5: Determine Authority to Certify Protected Plants or Plant Products

If you are:	Then:
Located at a designated CITES port	REFER to Determine Import Requirements on page 4-3-1 AND GO to Special Procedures, Processing Protected Plants on page 6-10-1
Not at a designated CITES port	1. CONTACT the nearest designated CITES port or a PPQ regional botanist (through proper channels) or Export Certification Specialist for guidance to arrange to move the shipment to a designated port (at the owner's expense). Some designated CITES ports have established procedures for ACOs at interstate locations and non-designated CITES ports to assist in inspecting and processing shipments of protected plants ¹ 2. EXIT this manual. You are not authorized to complete a certificate for a commodity regulated by CITES or ESA

- ¹ Some designated CITES ports have established procedures that allow State or county cooperators to attest that the plants are artificially propagated and to complete a State phytosanitary certificate. The exporter sends the State phytosanitary certificate, the invoice, and specified copies of the CITES or ESA documents to the designated CITES port for validation and endorsement. At some designated CITES ports, a blank Federal plant export certificate **must be** obtained and partially completed by the exporter and sent back to the designated CITES port, along with the other paperwork.

Procedures have been established to allow PPQ officers at non-designated CITES ports to confirm that the exporter has PPQ Form 622, USDA General Permit, and proper CITES or ESA documents. The officer confirms that all the paperwork agrees with the shipment and has the exporter complete PPQ Form 572 and send along with specified copies of the invoice and CITES or ESA documents to the designated CITES port for validation and endorsement. If there's a concern about the shipment's validity, then shipments may be required to go through the designated CITES port.

